

PATENT  
Attorney Docket No. 101.0078-00000  
Customer N. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                              |   |                       |
|------------------------------|---|-----------------------|
| In re Application of:        | ) |                       |
| Gary K. Michelson            | ) | Confirmation No. 5619 |
| Serial No.: 09/593,591       | ) |                       |
| Filed: June 13, 2000         | ) |                       |
| For: MANUFACTURED MAJOR LONG | ) | Group Art Unit: 3738  |
| BONE RING IMPLANT SHAPED     | ) | Examiner: P. Prebilo  |
| TO CONFORM TO A PREPARED     | ) |                       |
| INTERVERTEBRAL               | ) |                       |
| IMPLANTATION SPACE           | ) |                       |

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REPLY TO RESTRICTION REQUIREMENT**

In reply to the Restriction Requirement of August 26, 2004, the period for reply having been extended for four (4) months by a request for extension and fee payment filed concurrently herewith, Applicant provisionally elects to prosecute claims 1, 2, 4, 5, 7-20, 22-30, 32-42, 85, 86, 88, 89, 91-127, 129, 148-152, 158-164, 166, 168-182, 203, 204, 206, 208-224, 226, 228-242, 263, 264, 266, and 268-282 directed to Species A.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: January 26, 2005

By: Thomas H. Martin  
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